

Minnesota Lawyer

Top legal brass challenged to increase pro bono at firms.

By Barbara Jones

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About 60 top leaders of Minnesota law firms and in-house legal departments recently gathered to be challenged to increase the amount of pro bono participation of the lawyers at their organizations.

The pro bono challenge, called "Minnesota Lawyers: A Call to Honor," was issued at a June 19 luncheon by incoming Minnesota State Bar Association (MSBA) President James L. Baillie and Minnesota Supreme Court Chief Justice Kathleen Blatz. The event was held at the MSBA's annual convention at the Hyatt Regency Hotel in downtown Minneapolis.

The lawyers in attendance were asked to provide leadership in increasing the number of new volunteer lawyers in the state by 500 and the number of pro bono clients served by at least 1,000 in the next 12 months.

"Billing time is what you do --changing lives is who you are," said MSBA flyers distributed at the event.

The MSBA has been highly active in seeking funding for Legal Aid. Although Legal Aid's state funding was cut by about 3 percent in the budget passed in the last legislative session, this amount was much less than was feared by Legal Aid proponents. However, Legal Aid funding is also down due to the economic climate. With interest rates at record lows, the amount of IOLTA funds available to finance Legal Aid has greatly diminished. In addition, with other charities feeling the pinch of the economic slowdown, funding from charitable sources such as the United Way has also decreased.

Legal Aid programs are facing their worst financial crisis since 1980 when the federal Legal Services Corporation was threatened with termination, Baillie told the group.

"It is a crisis," Baillie said. "My first official act [as bar president] is to tell you this is happening. This will be my primary goal, and I'm here to ask for help."

Minnesota Legal Services Coalition programs are losing more than \$4.5 million in funding over the next two years, which will mean a more than 30 percent reduction in Legal Aid lawyers, Baillie told attendees. At the same time, he continued, the Volunteer Lawyers Network in Hennepin County, the state's largest pro bono program, has had its budget drop from about \$430,000 to \$350,000.

Speaking about the bar's successful lobbying effort to keep legislative cuts to Legal Aid funding at a minimum, Baillie observed that the bar leadership worked extensively with

the Legislature and supported the increases in filing fees and court administration fees that kept the court's budget cuts from being deeper than they were.

However, Baillie continued, providing services to the disadvantaged is a problem that will never be met by legal services lawyers alone.

The "Call to Honor" asks the judiciary, the MSBA and attorneys statewide to participate in meeting the goal to provide increased legal services.

The judiciary is asked to appoint one or more judges to work with one or more bar leaders in each judicial and bar district who will be responsible for achieving the goal in that district. The judiciary is also asked to develop appropriate mechanisms, such as special pro bono calendars, to efficiently handle cases where the litigants are represented by pro bono lawyers.

"I'm pledging my support to help you in any way I can," said Blatz. "But mostly I'm grateful for the work you do."

The MSBA's share of the challenge is:

- * to provide technical support to law firms and corporate counsel in developing a pro bono program;
- * to provide, along with Legal Aid and volunteer attorney programs, training in poverty law areas and screening and referral of low-income clients;
- * to update the volunteer directory (known as the pro bono book), deliver it to every bar member, and strongly encourage taking pro bono cases.

The MSBA also intends to provide pro bono opportunities for business lawyers through a planned Pro Bono Business Committee and to hire a part-time staff person to support pro bono lawyers, according to Baillie.

Baillie and Blatz asked large law firms and corporate counsel offices to:

- * determine the number of attorneys within their organizations who, as of July 1, 2003, had not handled a pro bono matter within the last 12 months;
- * reduce by 25 percent the number of lawyers in the organization who did not handle a pro bono matter last year; and
- * report the number of additional cases the organization is able to open in the coming year.

Baillie also told the group that the MSBA will be seeking help from all segments of the profession and not just from large law firms.

Thomas Mielenhausen, co-chair of the MSBA Legal Assistance to the Disadvantaged Committee, told the group that he hoped the goal of 500 new lawyers and 1,000 new clients was too low. He asked the lawyers to aim for a 15 to 20 percent increase in the number of cases handled. He also said the committee would be surveying firms to determine the number of pro bono cases they were handling in order to develop a statistical baseline against which to measure growth. He asked the firms who don't already have a pro bono coordinator to appoint one.

Mielenhausen suggested the gathered law firm and in-house leaders set the tone for their organizations by doing something inspirational themselves.

Blatz expressed a similar sentiment, noting that "what you value is what lawyers in the firm are going to value."

In a related manner, Baillie told the lawyers that Minnesota will be conducting a planning process to review Legal Aid as required of every state by the Legal Services Corporation. The Supreme Court will appoint a commission to evaluate Legal Aid, after receiving recommendations from a committee composed of Baillie, Southern Minnesota Regional Legal Services Executive Director Bruce Beneke and Supreme Court Justice Sam Hanson.